




## Board Approves New Regulations

### Proposes additional changes for June

The Nevada State Board of Architecture Interior Design and Residential Design passed a series of regulation changes at the March 8 meeting. On May 4 the proposed changes were presented to the Legislative Commission and approved. The amendments have been forwarded to the Secretary of State and should be effective by the end of June.

Full text of the new regulations can be downloaded from the Laws & Rules page of the board's Web site ([nsbaidrd.state.nv.us/laws\\_rules.htm](http://nsbaidrd.state.nv.us/laws_rules.htm)). 

#### Practice as a principal

Changes to NAC 623.310 state that only Nevada registrants can use the title "principal." Housekeeping amendments were also made to this section.

#### Firm names

Amendments to NAC 623.740 now require that firm names using plural terms for the regulated professions (i.e. "architects") have at least two of these professionals employed with the firm.

Changes to this section also clarify that the board may deny

approval of a firm name if the proposed name is potentially misleading to the public.

#### Electronic seal

NAC 623.750, 755, 760, 763 and 766 were amended to allow registrants to electronically seal, sign and date plans, specifications and documents. (See "Using the Electronic Sealing Regulations" on page 5 for more details on how the changes affect registrants.)

These changes clear the way for building departments to begin

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## Nevada Board Represented at WCARB Meeting

Members of the NSBAIDRD attended the Joint Spring Annual Meeting, for Regions 1 and 6 of NCARB, on March 16-18, 2006 in Tucson, Ariz. The Western Conference of Architectural Registration Boards (WCARB) meeting was held in conjunction with the joint meeting. WCARB is Region 6 of NCARB.

During the WCARB meeting, delegates heard reports from other states in the region,

elected the Region 6 representative to the NCARB Board of Directors, elected members of the WCARB Executive Committee and discussed other issues of interest to the western states.

During the joint meeting, attendees from both regions participated in an educational seminar. Topics covered during the seminar included: the roles of architects and regulatory boards in disaster response and

relief, continuing education as a condition of NCARB certificate renewal, sustainable design, and dealing with the illegal practice of architecture. The luncheon presentation was made by New Mexico architect David Sloan, who spoke about the Navaho and Apache Long Walk and the Bosque Redondo Memorial.

WCARB's 2007 meeting will be held in Washington, DC.

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# Enforcement Actions

(January 12 - March 8, 2006)

Inquiries are routinely sent to both registrants and non-registrants for alleged violations of the Nevada Revised Statutes (NRS) and Nevada Administrative Codes (NAC). One case this period resulted in an administrative hearing (formal hearing). A formal hearing of Case No. 05-048R (*Spaulding vs. Downey*) was held on March 8, 2006. The findings for this case are detailed below.



ordered Mr. Downey to pay an administrative fine of \$5,000 as well as all fees and costs incurred in the prosecution of the case (\$10,200).

Every effort is made to ensure that the following information is correct. Before making any decision based on this information, you should contact the NSBAIDRD.

## Case No. 05-048R

David L. Downey (No. 2256), an architect based in Las Vegas, was found to have violated NRS 623 at the March 8, 2006 meeting of the NSBAIDRD. The board issued a public letter of reprimand and

The board found that Mr. Downey violated NRS 623.270(1)(d) by reproducing a fire protection report that was not prepared under his responsible control and for which he did not receive permission or authority to reproduce. Additionally, the board found that Mr. Downey violated NAC 623.900(1) and Rules of Conduct 4.3, 5.2 and 5.5 by affixing his signature and seal on a document that was prepared by others.

## Board approves new regulations


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allowing electronic submittals of plans; they do not require building departments move in that direction. Electronic submittal of plans will be implemented as each jurisdiction's building department chooses to move forward.

## Formal hearing procedures

Changes to NAC 623.945 implement additional guidelines for submission of documents and filing of motions in administrative hearings.

## Board to amend Table of Equivalents

The board agreed to move forward with proposed changes to NAC 623.505, the Residential Designer Table of Equivalents. A public hearing and workshop will be held at the June 7 board meeting in order to gather public comment before adopting any new regulations. Full text of the proposed changes is posted on the board's Web site at [nsbaidrd.state.nv.us/Documents/June06HearingNotice.pdf](http://nsbaidrd.state.nv.us/Documents/June06HearingNotice.pdf). 

Candidates for registration as residential designers must have a combination of five years education and experience in order to qualify to take the Residential Design Exam. In 2004, the board amended the requirements to mandate that of those five years, at least one year must be in education and one in experience. The means by which candidates get that credit is detailed in NAC 623.505.

The largest proposed change to the table is the addition of another avenue by which candidates can earn education credit. The board is proposing adding a provision allowing up to two years of credit for any degree with an emphasis in residential design that has been approved by the board.

The board hopes that this change will encourage more candidates to pursue formal education prior to licensure. This new avenue could apply to residential design programs at community colleges.

# We are looking for a few volunteers

The board is searching for registrants and building officials with knowledge of the International Codes to help update the Nevada Supplemental Exam for Registered Interior Designers and the Residential Design Exam.

For more information or to volunteer, please contact Gina Spaulding at [gspaulding@nsbaidrd.nv.gov](mailto:gspaulding@nsbaidrd.nv.gov).



Additional changes would allow residential designer candidates to earn up to four years of education credit for an architecture degree, or credits toward that degree, from a program not accredited by NAAB. This is an increase over current maximum credit allowed of two years.

Another change increases the education credits allowed for degrees from accredited engineering and accredited interior design programs. Candidates would be able to earn a maximum of three years credit, up from the current two years.

Proposed amendments also increase the maximum amount of training credits that can be earned under the direct supervision of a licensed engineer from one to two years.

Members of the public and profession are invited to attend the public hearing and provide input on these proposed changes. Persons who cannot attend the hearing may submit comments in writing until May 26.

# Letter Sent to Nevada Furniture Vendors

## Addresses specifying furniture and providing space planning services

The following letter was approved at the March board meeting and is being sent to furniture, finishes, fixtures and equipment vendors around the state. The board is sending this educational letter to point out specific sections of Nevada law that could apply to their businesses. The letter is also posted on the board's Web site.

### MEMORANDUM

May 2006

To: Nevada furniture, finishes, fixtures and equipment vendors

From: Nevada State Board of Architecture, Interior Design and Residential Design

Re: Specifying furniture and providing space planning services in Nevada

The mission of the Nevada State Board of Architecture, Interior Design and Residential Design is to protect the health, safety and welfare of the public. As part of this mission, the board educates business owners about Nevada laws and which services fall under the practice of architecture and registered interior design.

When the registered interior design law passed in 1995, a limited exemption was provided for people who prepare drawings of the layout of materials or furnishings used in interior design (NRS 623.330). The exemption allows the implementation of drawings or installation of materials or furnishings, as long as they are **not regulated by any building code or other law, ordinance, rule or regulation governing the alteration or construction of a structure**. Prior to 1995, these activities were considered the practice of architecture and not exempt from the law.

NRS 623.330 reads in part:

1. *The following persons are exempt from the provisions of this chapter:*
    - (g) *Any person who prepares drawings of the layout of materials or furnishings used in interior design or provides assistance in the selection of materials or furnishings used in interior design, including, without limitation:*
      - (1) *Decorative accessories;*
      - (2) *Wallpaper, wallcoverings or paint;*
      - (3) *Linoleum, tile, carpeting or floor coverings;*
      - (4) *Draperies, blinds or window coverings;*
      - (5) *Lighting fixtures which are not part of a structure;*
      - (6) *Plumbing fixtures which are not a part of a structure; and*
      - (7) *Furniture or equipment,*
- if the preparation or implementation of those drawings or the installation of those materials or furnishings is not regulated by any building code or other law, ordinance, rule or regulation governing the alteration or construction of a structure.*  
(Emphasis added)

The following examples of interior design services are regulated; they **do not** fall within the exemption:

- **Furniture:** A building permit is required when specifying moveable cases, counters and partitions, including modular furniture, over 69" in height. Additionally, fabric covered partitions, whether 69" in height or less, must meet specific flame spread and smoke development requirements of the "Interior Finishes" chapter of the applicable building code.
- **Space planning:** Providing interior space planning on a commercial project requires compliance with applicable building and fire codes and the Americans with Disabilities Act. Space planning includes, but is not limited to, the type, amount and placement of furniture, finishes, fixtures and equipment (FF&E), as well as the ingress and egress that is created/changed by the placement of furniture, partitions, etc.

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# Letter sent to Nevada furniture vendors

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- **Finishes:** Building and fire codes regulate the specification of decorations and trim, including but not limited to: curtains, draperies, hangings and other decorative materials that are suspended from walls or ceilings (i.e. fabric, foam, plastic, silk plants). Permits and/or approval are required prior to installation.

While there is no law prohibiting who can sell FF&E, a registered design professional, certified interior designer or licensed contractor must specify the FF&E if it is going to be used in a commercial project (i.e. tenant improvement, hotel, casino, timeshare, office building, retail store, etc.). Further, only a registered design professional or appropriately licensed contractor may provide space planning services.

If you or your company would like to provide these regulated services, there are four options allowing you to do so lawfully:

1. Become a registered interior designer.
2. Work under the responsible control of a registered interior designer or architect (as an employee or subcontractor)
3. Become a licensed contractor under NRS 624
4. Become a certified interior designer through the Nevada Fire Marshal (certificate holders may only specify regulated FF&E; certificate holders may not provide space planning services)

For information on how to become a registered interior designer or architect, please visit the board's Web site at [nsbaidrd.state.nv.us](http://nsbaidrd.state.nv.us), or call the board office at (702) 486-7300. For more information on becoming a licensed contractor, please contact the Nevada State Contractors Board at (702) 486-1100. For more information on becoming a certified interior designer, please contact Susie Riolo, in the State Fire Marshal's office, at (775) 684-7536.

If you are unsure if the services you provide are regulated by this board, please call the board office. Gina Spaulding, the board's Executive Director, is available to answer your questions and help you ensure that your business operates within Nevada law. Board staff is also available to assist you with general information on becoming a registered interior designer or architect.

The entire text of NRS 623 (Architecture, Interior Design and Residential Design) can be downloaded from the "Laws & Rules" page on the board's Web site. For your information, the definition of "practice as a registered interior designer" (NRS 623.0225) follows:

*"Practice as a registered interior designer" means the rendering, by a person registered pursuant to subsection 2 of NRS 623.180, of services to enhance the quality and function of an interior area of a structure designed for human habitation or occupancy. The term includes:*

1. *An analysis of:*
  - (a) *A client's needs and goals for an interior area of a structure designed for human habitation or occupancy; and*
  - (b) *The requirements for safety relating to that area;*
2. *The formulation of preliminary designs for an interior area designed for human habitation or occupancy that are appropriate, functional and esthetic;*
3. *The development and presentation of final designs that are appropriate for the alteration or construction of an interior area of a structure designed for human habitation or occupancy;*
4. *The preparation of contract documents for the alteration or construction of an interior area of a structure designed for human habitation or occupancy, including specifications for partitions, materials, finishes, furniture, fixtures and equipment;*
5. *The collaboration in the completion of a project for the alteration or construction of an interior area of a structure designed for human habitation or occupancy with professional engineers or architects who are registered pursuant to the provisions of title 54 of NRS;*
6. *The preparation and administration of bids or contracts as the agent of a client; and*
7. *The review and evaluation of problems relating to the design of a project for the alteration or construction of an area designed for human habitation or occupancy during the alteration or construction and upon completion of the alteration or construction.*

Again, if you have any questions, please feel free to call the board office at (702) 486-7300.



# New Registrants By Exam

(January 12 - March 8, 2006)

The Nevada State Board of Architecture, Interior Design and Residential Design wishes to extend congratulations to the following individuals who recently passed their profession's licensing exam and now hold certificates of registration in Nevada:

## Architects

- 5529 Philip M. Haderlie (N. Las Vegas)
- 5530 Sharilyn R. U. Hidalgo (Las Vegas)
- 5531 Kevin R. Thompson (Henderson)
- 5532 Murat Sanal (Istanbul, Turkey)
- 5533 Alexis A. Sanal (Istanbul, Turkey)
- 5544 Robert M. Walker (San Diego, Cal.)

## Registered Interior Designers

- 116-ID Deborah Ann Balderston (Reno)
- 117-ID Jeanne L. Starling (Las Vegas)
- 118-ID Kristina Johnson (Sparks)
- 119-ID Amy Jakubowski (New York City)
- 120-ID Kris V. Irwin (Las Vegas)



*Above: New registered interior designers Kris Irwin, Amy Jakubowski, Kristina Johnson, Jeanne Starling, Deborah Balderston and Secretary/Treasurer George Garlock. Left: New architects Kevin Thompson, Murat Sanal, Alexis Sanal, Robert Walker, Philip Haderlie, Sharilyn Hidalgo and Garlock.*

# Using the Electronic Sealing Regulations

At the March 8 board meeting the NSBAIDRD passed new regulations that will allow registrants to sign, seal and date plans, specifications and documents electronically. These regulations should go into effect by the end of June; the effective date will be posted on the board Web site once it is set by the Secretary of State.

The regulations do not require electronic sealing; they merely offer the option to registrants who choose to use the technology. Registrants may continue to hand-stamp, sign and date plans. Registrants may also choose a combination of electronic and original seals and signatures. For example, a registrant may electronically seal a document, apply the date electronically and sign the plans with his original signature.

As with the current rubber stamps and embossed seals, it is the responsibility of each registrant to secure his electronic seal to ensure it is not affixed to documents not prepared by him or under his responsible control. Further, the registrant may want to apply safety measures to guard against files being altered after his electronic seal has been applied. There are various

technological safeguards available for file security, including some programs that protect a document from being modified, or clearly indicate when modifications have occurred. The board has not put any requirements in place, instead allowing each registrant to decide the proper safeguards for his seal and his practice.

The design of the seal remains the same. Electronic seals should be of the same image used on the current stamps. The specifications of the seal are outlined in NAC 623.750-760.

Per NAC 623.766, each sheet of each set of plans submitted to a public authority


must contain the registrant's wet stamp or electronic seal, signature and date. This requirement for a stamp, signature and date remains the same as current requirements.

The new regulations pave the way for building departments to begin allowing electronic submittal of plans. To date, the board is not aware of any Nevada building departments able to accept plans electronically, though it is aware that some agencies are moving in that direction.

Registrants are encouraged to contact the board office at (702) 486-7300 with any questions regarding implementation of the new electronic sealing regulations.

## Link Directly to Web Sites Mentioned in Focus

To link directly to a Web site listed in an article, move your cursor over the site address and click on it to go to the referenced page.

The cursor, which looks like a hand in Acrobat Reader, will change appearance to a pointing hand with a "W" when it moves over an active link. When you see  you'll know it is an active link.

# NCARB News

## Board takes position on ARE timing

In February 2006, the NCARB Board released the following policy position regarding timing of the Architect Registration Examination (ARE). Additional action on this topic is expected at the NCARB Annual Meeting in June. Additional developments and any implications for Nevada candidates will be reported in the next issue of *Focus*.

“The public is best served by an architect who has an accredited professional degree in architecture, who has completed the Intern Development Program in order to gain practical experience within the profession, and who then completes and passes the Architect Registration Examination. Each of these components adds separately to the process of ensuring that newly registered architects are competent to practice independently. Each of these components, while well developed, is not perfect in and of itself, and it is in combination that they provide for appropriate protection of the public’s health, safety and welfare. The most objectively defensible of the three is the ARE, and some appropriate components of it should be the last qualification before licensure.

“In the decades since the sequential concept of education/IDP/ARE was established in the Model Law, much has changed in the education and training of emerging professionals. Notably, with great credit to the Boyer Report, the practice of architecture is better integrated into the academy, and accredited programs today attract among the very best and brightest of university students. While an emerging professional has much yet to learn after graduation from an accredited program, we recognize that some of them may be prepared to begin taking the ARE after acquiring a prerequisite level of practical experience.

“NCARB has collected and analyzed considerable data, debated this subject internally and discussed this matter with our collateral colleagues. After these deliberations, it is our conclusion that there

is no evidence of increased risk to the health, safety and welfare of the public if a candidate with an accredited professional degree and who is actively engaged in IDP is permitted to begin to start taking divisions of the ARE. The data revealed that only a very small portion of candidates in those jurisdictions that permit the ARE to be taken out of sequence currently choose to do so.

“Commencing with adoption of an appropriate resolution to be presented at an Annual Meeting, NCARB will allow candidates to begin taking the Architect Registration Examination at such time as a candidate has completed 250 Intern Development Program Training Units. Because the ARE is the most objectively defensible of the three licensure requirements of education, training and examination, some divisions of the ARE, yet to be determined, likely no more than

three, will only be able to be taken following completion of all IDP Training Units. Appropriate grandfathering and transition provisions will be included within the resolution to be presented to an Annual Meeting, likely the 2007 Annual Meeting, after all implementation issues have been resolved. The Board expects to propose a Model Law amendment at the 2006 Annual Meeting that changes NCARB’s current Model Law recommendation (that candidates only be made eligible for taking the ARE after the candidate has completed IDP) to be consistent with the above policy.

“NCARB strongly believes that the present differences among the jurisdictions regarding timing for taking the ARE should not be the basis for any Member Board refusing reciprocal licensure to any NCARB Certificate holder.”

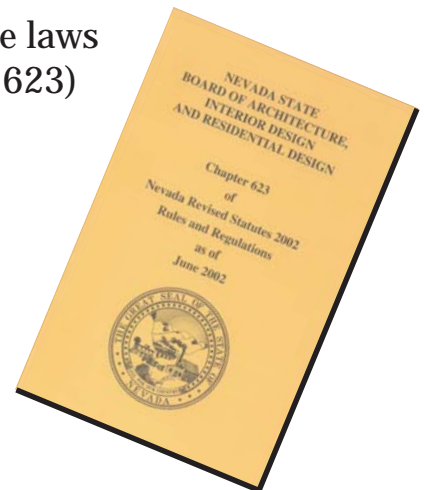
## Still leafing through the old orange book to read the law?

**There have been a lot of changes.**

Download the most up-to-date laws and rules (NRS 623 and NAC 623) from the board’s Web site:

[nsbaidrd.state.nv.us/  
law\\_rules.htm](http://nsbaidrd.state.nv.us/law_rules.htm) 

New statute booklets will be mailed to all registrants later this year.



# 2005 ARE Pass Rates

Section	Nevada 2005			National 2005
	Number of Candidates	Number Pass	Percent Pass	Percent Pass
Pre-Design	33	20	61%	76%
General Structures	27	20	74%	74%
Lateral Forces	24	20	83%	76%
Mechanical & Electrical Systems	22	13	59%	67%
Materials & Methods	25	18	72%	76%
Construction Documents & Services	23	12	52%	77%
Site Planning	25	18	72%	73%
Building Planning	25	17	68%	63%
Building Technology	22	10	45%	66%

Information provided by Thompson Prometric.

# 2005 NCIDQ Pass Rates

Examination	Nevada 2005			National 2005		
	Number of Candidates	Number Pass	Percent Pass	Number of Candidates	Number Pass	Percent Pass
Section I: Principles & Practices of Interior Design	33	18	55%	1743	1088	62%
Section II: Contract Development & Administration	31	17	55%	1674	1031	62%
Section III: Schematics & Design Development	22	15	68%	1569	1070	68%

Information provided by NCIDQ.

# Calendar

## June 7, 2006

NSBAIDRD Board Meeting  
*Las Vegas*

## June 21-24, 2006

NCARB Annual Meeting  
*Cincinnati, Ohio*

## July 17, 2006

Application Deadline for August  
Residential Design Exam

## Aug. 17-18, 2006

Residential Design Exam  
*Las Vegas and Reno*

## Oct. 13-14, 2006

Fall 2006 NCIDQ Exam

## Oct. 14, 2006

Nevada Supplemental Exam for Registered  
Interior Designers


# Moving?

# New job?

Don't forget to send your change of  
address or change of employment  
to the board.

### NAC 623.720

*Each architect, residential designer or interior designer who holds a certificate of registration shall advise the board in writing of any change of address or place of employment within 30 days after the change.*

Change of address forms are available on the Web site,  or simply include the following information in a letter or email:

Full Name  
Registration Number  
Old Address, Phone and Fax Numbers  
New Address, Phone and Fax Numbers  
Email Address  
Effective Date of Change



### Board Members

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*Architect*

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George F. Garlock,  
*Architect*

Greg L. Erny,  
*Architect*

Judith H. Fermoile,  
*Registered Interior Designer*

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### Board Staff

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Tammy L. Bond  
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Rebecca Ann Gaul  
*Investigator for Northern Nevada*

Monica Harrison  
*Executive Assistant*

Stacey D. Hatfield  
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### Board Office Hours

7:30am - 5:30pm, Monday - Friday